

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

STUART C. IRBY COMPANY

PLAINTIFF

v.

CAUSE NO. 3:19-cv-600-CWR-LRA

FIELD ELECTRIC, LLC and JAMES D. FIELD

DEFENDANTS

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MOTION FOR AN AWARD OF ATTORNEYS' FEES AND COSTS

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Pursuant to Federal Rule of Civil Procedure 54(d), the Plaintiff, Stuart C. Irby Company ("Irby"), hereby moves for the recovery of attorneys' fees and costs Irby incurred in obtaining a default judgment against Defendants Field Electric, LLC and James D. Field (collectively, "Defendants") and Irby's fees incurred in pursuing this motion for attorneys' fees and costs.

1. The Court has entered a default judgment [ECF Doc. 8] against Defendants.
2. Irby is entitled to recover its attorneys' fees and costs incurred in obtaining the default judgment.
3. Irby is also entitled to recover its attorneys' fees incurred in pursuing its fees and costs for this matter.
4. Irby's entitlement to recover its attorneys' fees and costs from Defendants is based on provisions contained in the documents that comprise the sales contract between Irby and Defendants that authorize such recovery.
5. Irby will submit a memorandum in support of this motion.
6. In further support of this motion, Irby attaches Exhibit 1, Declaration of Brian Kimball.

ACCORDINGLY, Irby respectfully requests that the Court enter a judgment in Irby's favor and against Defendants awarding the following relief:

- (i) attorneys' fees in the amount of \$16,810.40;
- (ii) litigation costs in the amount of \$604.40; and
- (iii) any additional relief that the Court deems appropriate.

Dated: January 27, 2020.

Respectfully submitted,

STUART C. IRBY COMPANY

By: /s/ Marcellus D. Chamberlain  
Brian Kimball (Miss. Bar No. 100787)  
Marcellus D. Chamberlain (Miss. Bar No. 105672)  
BUTLER SNOW LLP  
1020 Highland Colony Parkway, Suite 1400 (39157)  
Post Office Box 6010  
Ridgeland, Mississippi 39158-6010  
(T) 601-948-5711  
(F) 601-985-4500  
(E) [brian.kimball@butlersnow.com](mailto:brian.kimball@butlersnow.com)  
(E) [marc.chamberlain@butlersnow.com](mailto:marc.chamberlain@butlersnow.com)

*Attorneys for Stuart C. Irby Company*

Certificate of Service

I hereby certify that on the date indicated below, I filed the foregoing document using the Court's ECF system. That filing automatically sent a copy of the foregoing document to all ECF participants.

Dated: January 27, 2020.

By: /s/ Marcellus D. Chamberlain  
Brian Kimball (Miss. Bar No. 100787)  
BUTLER SNOW LLP  
1020 Highland Colony Parkway, Suite 1400 (39157)  
Post Office Box 6010  
Ridgeland, Mississippi 39158-6010  
(T) 601-948-5711  
(F) 601-985-4500  
(E) [brian.kimball@butlersnow.com](mailto:brian.kimball@butlersnow.com)

*Attorney for Stuart C. Irby Company*

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